



OFFICE OF
INSURANCE COMMISSIONER

In the Matter of)	
)	ORDER NO. D06-331
AETNA HEALTH, INCORPORATED,)	
)	CONSENT ORDER MPOSING A
)	FINE
A Registered Health Care Services)	
Contractor)	

COMES NOW the Insurance Commissioner of the State of Washington, pursuant to the authority set forth in RCW 48.02.080, and having reviewed the official records and files of the Office of the Insurance Commissioner, makes the following findings of fact and conclusions of law:

FINDINGS OF FACT

1. Aetna Health, Incorporated ("Aetna Health") is registered as a health care services contractor. It is authorized to conduct insurance business in the State of Washington.
2. On April 24, 2006, Aetna filed new rates with the Office of the Insurance Commissioner ("OIC") for its conversion plans. The previous conversion rate filing was on November 7, 2002, with an effective date of December 1, 2002. The rates listed as those currently in force in the 2006 filing were different than those approved by the OIC in 2002.
3. Nineteen conversion policies were issued to Washington consumers between December 2002 and June 26, 2006. Six policies were undercharged, eight policies were overcharged, and five policies were charged the approved rate. Of the nineteen policies, only five remained in force as of June 26, 2006.
4. Aetna corrected the premiums with an effective date of September 1, 2006 and refunded the excess premium charged to all eight of the policyholders who were overcharged, plus 5% interest.

CONCLUSIONS OF LAW

1. By charging plan rates different than those filed with the OIC, Aetna violated RCW 48.44.040, and WC 284-43-920.
2. RCW 48.44.166 authorizes the Insurance Commissioner to impose a fine of not less than \$50.00 and no more than \$10,000.00 per violation in lieu of or in addition to suspension or revocation of a health plan's registration.

CONSENT TO ORDER

NOW, THEREFORE, Aetna Health consents to the following in consideration of The Company's desire to resolve this matter without further administrative or judicial proceedings, and the Insurance Commissioner consents to settle the matter in consideration of Aetna Health's fine on such terms and conditions as are set forth below:

1. Aetna Health consents to the foregoing Findings of Fact and Conclusions of Law as they pertain to these facts, consents to the entry of the Order and waives further administrative or judicial challenge to the OIC's actions related to the subject matter of the Order.
2. Within thirty days of the entry of this Order, Aetna Health agrees to pay to the OIC a fine in the amount of \$7,000.00 (Seven thousand dollars).

EXECUTED this 13th day of November, 2006.

AETNA HEALTH, INCORPORATED

By: 

Printed Name: Curtis L. Terry

Printed Corporate Title: Regional Manager

ORDER OF THE INSURANCE COMMISSIONER

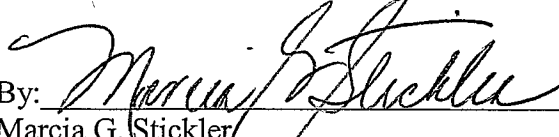
NOW, THEREFORE, pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner hereby orders as follows:

1. Aetna health, Incorporated is ordered to pay a fine in the amount of \$7,000.00 (Seven thousand dollars).
2. \$7,000.00 (Seven thousand dollars) must be paid in full within thirty days of the date of entry of this Order. Failure to pay this fine shall constitute grounds

for revocation of Aetna Health, Incorporated's registration, subject to any applicable rights of Aetna Health, Incorporated to contest such action, and in the recovery of the fine through a civil action brought on behalf of the Commissioner by the Attorney General.

ENTERED AT TUMWATER, WASHINGTON this 16th day of November, 2006.

Mike Kreidler
Washington State Insurance Commissioner

By: 
Marcia G. Stickler
Staff Attorney, Legal Affairs Division